

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Judgment Creditor,

v.

ROCCO ROMEO,

Judgment Debtor,

and

HUDSON VALLEY CREDIT UNION,

Garnishee.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 2/21/25

19 CR 0586-01 (VB)

WRIT OF GARNISHMENT

TO: Hudson Valley Credit Union
PO Box 1071
Poughkeepsie, NY 12602

An application for a writ of garnishment against the property of judgment debtor ROCCO ROMEO, whose last known address is in Washingtonville, New York, has been filed with this Court. On February 4, 2021, the Court entered a judgment against ROCCO ROMEO in the amount of \$855,829.76. The unpaid as of February 20, 2025 is \$850,229.76.

You are required by law to withhold and retain any property in which ROCCO ROMEO has a substantial nonexempt interest and for which you have or may become indebted to him pending further order. You are required by law to file a written answer, under oath, within 10 days of service of this writ stating whether or not you have in your custody, control or possession, any property belonging or owed to the judgment debtor, including but not limited to nonexempt disposable earnings or retirement funds. *See* 28 U.S.C. § 3205(c)(2)(F). Property that is exempt and that is not subject to this writ is listed in the enclosed Clerk's Notice.

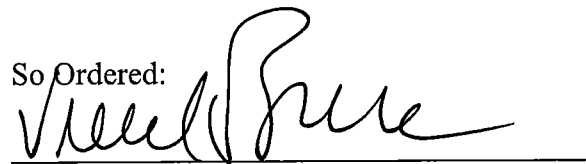
You must file the original answer to this writ with the Clerk of Court, United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York 10007, Attn: Arraignment Unit Room 520, and send a copy of your Answer to ROCCO ROMEO and the United States Attorney's Office, 86 Chambers Street, New York, New York 10007, Attn: Financial Litigation Program. *See* 28 U.S.C. § 3205(c). A sample Answer Form is enclosed for your convenience. Please note that your answer will be publicly filed and redact account number(s) accordingly.

If you fail to answer or withhold property in accordance with this writ, the United States of America may petition the Court for an order directing you to appear before the Court to show good cause why you failed to comply with the writ. If you fail to appear or do appear and fail to show good cause why you failed to comply with the writ, the court shall enter a judgment against you for the value of the judgment debtor's nonexempt interest in the property.

It is unlawful to pay or deliver to ROCCO ROMEO any items attached by this writ. Do not deliver the property to the Clerk of Court yet. Instead, withhold and retain the property until the Court enters an order directing the disposition of the property.

White Plains
Dated: ~~New York~~, New York
February 21, 2025

So Ordered:



UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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v.

ROCCO ROMEO,

Judgment Debtor,

and

ROCCO ROMEO,

Garnishee.

19 CR 0586-01 (VB)

**CLERK'S NOTICE
OF GARNISHMENT**

TO: ROCCO ROMEO
Washingtonville, New York 10992

You are notified, pursuant to 28 U.S.C. § 3202, that your nonexempt property is being taken by the United States of America (the "Government"), which has a judgment against you in the above-captioned action in the sum of \$855,829.76. The unpaid balance as of February 20, 2025 is \$850,229.76.


Further, you are notified that there are exemptions under the law which may protect some of this property from being taken by the Government if you can show that the exemptions apply. Attached is a summary of the only exemptions that apply to the enforcement of judgments for criminal restitution under 18 U.S.C. § 3613.

You have a right to ask the Court to return your property if you think that you do not owe the debt to the Government, or if you think the property the Government seeks qualifies under an applicable exemption. If you want a hearing, you must notify the Court within 20 days after you receive this notice. You must make your request in writing, and mail or deliver it to the Clerk of Court at the United States District Courthouse 500 Pearl Street, New York, New York 10007.

If you wish, you may use this notice to request a hearing by checking the box at the end of this form and filing it with the Clerk's Office. You must also send a copy of your request for a hearing to the United States Attorney's Office, 86 Chambers Street, New York, New York 10007, Attn: Financial Litigation Program. The hearing will take place within five days after the Clerk receives your request, if you ask for it to take place that quickly, or as soon after that as possible. At the hearing you may explain to the judge why you think you do not owe the money to the Government or why you believe the property the Government has taken is exempt. If you do not request a hearing, your property may be delivered to the Clerk of Court and applied to the debt you owe.

If you think you live outside the federal judicial district in which the Court is located, you may request, not later than 20 days after you receive this notice, that the Court transfer this proceeding to take your property to the federal judicial district in which you reside. You must make your request in writing, and mail or deliver it to the Clerk of Court at the United States District Courthouse 500 Pearl Street, New York, New York 10007. You must also send a copy of your request for a transfer to the United States Attorney's Office, 86 Chambers Street, New York, New York 10007 Attn: Financial Litigation Program.

Be sure to keep a copy of this notice for your own records. If you have any questions about your rights or about this procedure, you should contact a lawyer, an office of public legal assistance, or the Clerk of Court. The Clerk is not permitted to give legal advice but can refer you to other sources of information.



CLERK
UNITED STATES DISTRICT COURT

– TURN PAGE FOR EXEMPTION CLAIM AND REQUEST FOR HEARING FORM –

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**CLAIM OF EXEMPTION
AND REQUEST FOR HEARING**

TO: Clerk of Court
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

_____ I think that the property the Garnishee _____ is withholding is exempt from garnishment under the following applicable exemption(s):

EXEMPTIONS UNDER FEDERAL LAW (18 U.S.C. § 3613)

- _____ 1. **Wearing apparel and school books;**
- _____ 2. **Fuel, provisions, furniture, and personal effects** not to exceed \$11,710 in value;
- _____ 3. **Books and tools of a trade, business, or profession** not to exceed \$5,860 in value;
- _____ 4. **Unemployment benefits** in any amount;
- _____ 5. **Undelivered mail** to the addressee;
- _____ 6. **Certain annuity and pension payments** - Annuity or pension payments under the Railroad Retirement Act, benefits under the Railroad Unemployment Insurance Act, special pension payments received by a person whose name has been entered on the Army, Navy, Air Force, and Coast Guard Medal of Honor roll (38 U.S.C. § 1562), and annuities based on retired or retainer pay under Chapter 73 of Title 10 of United States Code;

_____ 7. **Workmen's Compensation** in any amount;

_____ 8. **Judgments for support of minor children** if entered by a court of competent jurisdiction prior to the date of levy to contribute to the support of his minor children, so much of the debtor's salary, wages, or other income as is necessary to comply with such judgment;

_____ 9. **Certain service-connected disability payments** in any amount payable as a service-connected (within the meaning of section 101(16) of Title 38, United States Code) disability benefit under – (A) subchapter II, III, IV, V, or VI of Chapter 11 of such Title 38 or (B) Chapter 13, 21, 23, 31, 32, 34, 35, 37, or 39 of such Title 38;

_____ 10. **Assistance under Job Training Partnership Act** in any amount under 29 U.S.C. § 1501, et seq.;

_____ 11. **Minimum exemptions for wages, salary and other income** - *The exemptions in the Consumer Credit Protection Act, 15 U.S.C. § 1673, for disposable earnings automatically apply and do not need to be claimed.* The aggregate disposable earnings of an individual for any workweek subjected to garnishment may not exceed (1) 25% of disposable earnings for that week, or (2) the amount by which disposable earnings for that week exceed 30 times the federal minimum hourly wage in effect at the time the earnings are payable, whichever is less.

_____ I request a court hearing to decide the validity of my claims. Notice of the hearing should be mailed to me at the following address:

Name of debtor or claimant	
Address	
Telephone number	
Cell phone number	
Email address	

_____ I request transfer of this garnishment proceeding to the federal district where I reside for a hearing to occur in the _____ (district) of _____ (state).

_____ I do not request a hearing in this matter.

I swear under penalty of perjury the statements made in this claim of exemptions and request for hearing are true and correct.

Signature of debtor

Date